* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 92-487-A David W. Gordon, et ux Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * * *

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance in which the Petitioners request relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 44 feet in lieu of the required 50 feet for a proposed garage in accordance with Petitioner's Exhib-

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17th day of July, 1992 that the Petition for Administrative Variance requesting relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 44 feet in lieu of the required 50 feet for a proposed garage, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

> 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

3) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order in the event it becomes necessary to do so as a result of a complaint.

4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

> Deputy Zoning Commissioner for Baltimore County

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

July 17, 1992

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

Mr. & Mrs. David W. Gordon 20008 York Road Parkton, Maryland 21120

RE: PETITION FOR ADMINISTRATIVE VARIANCE W/S York Road, 450' N of the c/l of Kaufman Road (20008 York Road) 7th Election District - 3rd Councilmanic District David W. Gordon, et ux - Petitioners Case No. 92-487-A

Dear Mr. & Mrs. Gordon:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

> Kotroco TIMOTHY M. KOTROCO Deputy Zoning Commissioner for Baltimore County

Very truly yours,

CHRISTICATE OF POSTING MS DEPARTMENT OF BALTIMORE COUNTY

d my W/S of york Road, 450' N of the CIL

David W Fordon et rus

Kaufman Rose, 20008 York Rose

92-487-A

Date of Posting 6-26-92

TMK:bjs

cc: People's Counsel

PETITION FOR ADMINISTRATIVE VARIANCE 92-48M-A TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

to permit a side yard setback of 44' in lieu of the required 50' setback (stated in zoning regulation of Baltimore County for the following reasons:)

of the Zoning Regulations of Beltimore County for the following reasons: (indicate hardship or practical difficulty) Garage has to be 23' to accommodate vehicle; House was centered in lot by builder with no thought of allowance for expansion.

Property is to be advertised and/or posted as prescribed by Zoning Regulations

I/we agree to pay expenses of the above posting and, if necessary, advertising, upon filing of this petition, and further agree to

	I/we do solemaly declare and affirm, under the penalties of p that I/we are the legal owner(s) of the property which is the s of this petition.
Contract Purchaser:	Legal Owner(s):
(type or print name)	David W. Gordon (type or print mane) V. V PA
(djester)	(rigesture)
olikus	Debra L. Gordon (type or prior name)
Chy State Zie Code	- Xilleha & Ladr
Atterney for Petitioner:	20008 York Road 357-8995
(type or print masse)	W- 833-7460 Parkton, MD 21120
(algusture)	City State Zip Code Hame, address and phone number of numer, acadest purchaser or representative to be contacted.
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	eldrum phone

Baltimore County Government Office of Zoning Administration

111 West Chesapeake Avenue

Towson, MD 21204

and Development Management Office of Planning & Zoning

July 2, 1992

(410) 887-3353

Mr. & Mrs. David W. Gordon 20008 York Road Parktons, MD 21120

> RE: Item No. 519, Case No. 92-487-A Petitioner: David W. Gordon, et ux Petition for Administrative Variance

Dear Mr. & Mrs. Gordon:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

AFFIDAVIT IN SUPPORT OF ADMINISTRATIVE VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Bultimore County, as follows: That the information herein given is within the personal knowledge of the Affinat(s) and that Affinat(s) intere computently thereto in the event that a public hearing is acheduled in the future with regard thereto.

That the Afficat(s) does/do presently reside at 20008 York Road

That based upon personal knowledge, the following are the facts upon which l/we base the request for an Admis. Variance at the above address: (national handship or practical difficulty)

Side setbacks are to be 50'. Garage proposed must be 23' to accommodate vehicle. This leaves 44' setback from side line. Builder centered house in lot with no thought of expansion, leaving 67' on either side of house to side lines. Since other homes in the sub-division have attached garages, owners would like to conform to set precedent.

of Maryland, in and for the County aforesaid, personally appeared

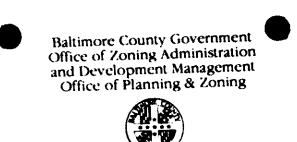
David W. Gordon and Debra L. Gordon the Affinate(s) herein, personally known or satisfactority identified to use as such Affinate(s), and made cash in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their bacorledge and belief......

AS WITHERS my hand and Notorial Seni. 11 June 1992

ZONING DESCRIPTION FOR 20008 YORK ROAD, PARKTON, MD 21120

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> 8 計量(0051)。 5/10/92 PHICE PUBLIC HEARING FEES 010 -ZONING VARIANCE (IRL) 080 -POSTING SIGNS / ADVERTIGING I 1000 to \$35 LAST NAME OF OUR ER GURBON 04A04#0112NICHRC



111 West Chesapeake Avenue Towson, MD 21204 (410) 887-3353

Your petition has been received and accepted for filing this 11th day of June, 1992

ARNOLD JABIAN DIRECTOR

Received By:

Chairman,
Zoning Plans Advisory Committee

Petitioner: David W. Gordan, et ux Petitioner's Attorney:

Printed on Recycled Paper

06/29/92 Dempere Engineering Division (Public Gervices) Development Review Committee Response Form Authorized signature Meeting Date Zoning Issue Waiver Number Stonegate at Patapsco (Azreal Property) ZON DED TE (Waiting for developer to submit plans first) COUNT 1 Joan R. McMahon 6-22-92 NC DED DEPRM RP STP TE BBC Associates 511 --- ---DED DEPRM RP STP TE Charles W. And Helen K. Mauerhan/Ronald W. And Diane H. Chapman DED DEPRM RP STP TE Fox Chevrolet, Inc. DED DEPRM RP STP TE Covenant of Grace Presbyterian Church Frederick J. And Michelle Y. Burgesen DED DEPRM RP STP TE David Marc And Paul C.S. Rosen DED DEPRM RP STP TE David W. And Debra L. Gordon DED DEPRM RP STP TE Raymond F. And Nancy A. Plum DED DEPRM RP STP TE Sebastism T. Rosselli DED DEPRM RP STP TE Michael And Virginia Myers

BALTIMORE COUNTY, MARYLAND

OFFICE OF PLANNING AND ZONING
New Courts Building
401 Bosley Avenue
Towson, MD 21204

MEMORANDUM

O: Arnold Jablon, Director - Zoning Administration & Development
Management

ROM: Ervin McDaniel, Chief Development Review Section Office of Planning and Zoning

DATE: June 24, 1992

ECT: PETITIONS FROM ZONING ADVISORY COMMITTEE - June 22, 1992

The Office of Planning and Zoning has no comments on the following petitions:

Leroy Merritt - Item 511
Silvergate East - Item 512
Frederick & Michelle Burgesen - Item 517
David & Paula Rosen - Item 518
David & Debra Gordon
Michael & Virginia Myers - Item 522

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning and Zoning at 887-3211.

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Development Review Committee Perports Form
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		Baltimore County Government Fire Department	6/2/02 6461-92 W
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	Arnold Jablon Director Toning Administrat: Development Hanager Baltimore County Of Towson, MD 21204	MAT	
· .	BE: Property Owne	r: DAVID W. GORDON AND DEBRA	L. GORDON
	Location:	\$2008 YORK ROAD	
: :	Item No.: *51	9 (LJG) Zoning Agenda: J	TUME 22, 1992
	Gentlemen:		
	corrected or incom	equest, the referenced proper ne comments below are applicable porated into the final plans	for the property.
7	7. The Pire Preve	ention Bureau has no comments	at this time.
	PRVIEWER: Plansing Special	Group Inspection Division	
	J9/REK		
		·	DECLIVED
			JUN 22 1992
			ZONING OFFICE

	•	
Department of Recreation and Parks Development Review Committee Respons Authorized signature	tratter	Date 7/1/92
Project Name File Number Waiver Number	Zoning Issue	Meeting Date
Joan R. McMahon	, FRS-1	6-22-92
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Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

June 17, 1992

111 West Chesapeake Avenue Towson, MD 21204 (410) 887-3353

David and Debra Gordon 20008 York Road Parkton, Haryland 21120

Re: CASE MUMMER: 92-487-1 LOCATION: W/S York Road, 450' W of c/l Kanfman Road 20008 York Road 7th Election District - 3rd Councilmanic

Dear Petitioner(s)

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before June 28, 1992. The closing date is July 13, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order way (a) grant the requested relief, (b) dany the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, demied, or will go to public hearing.

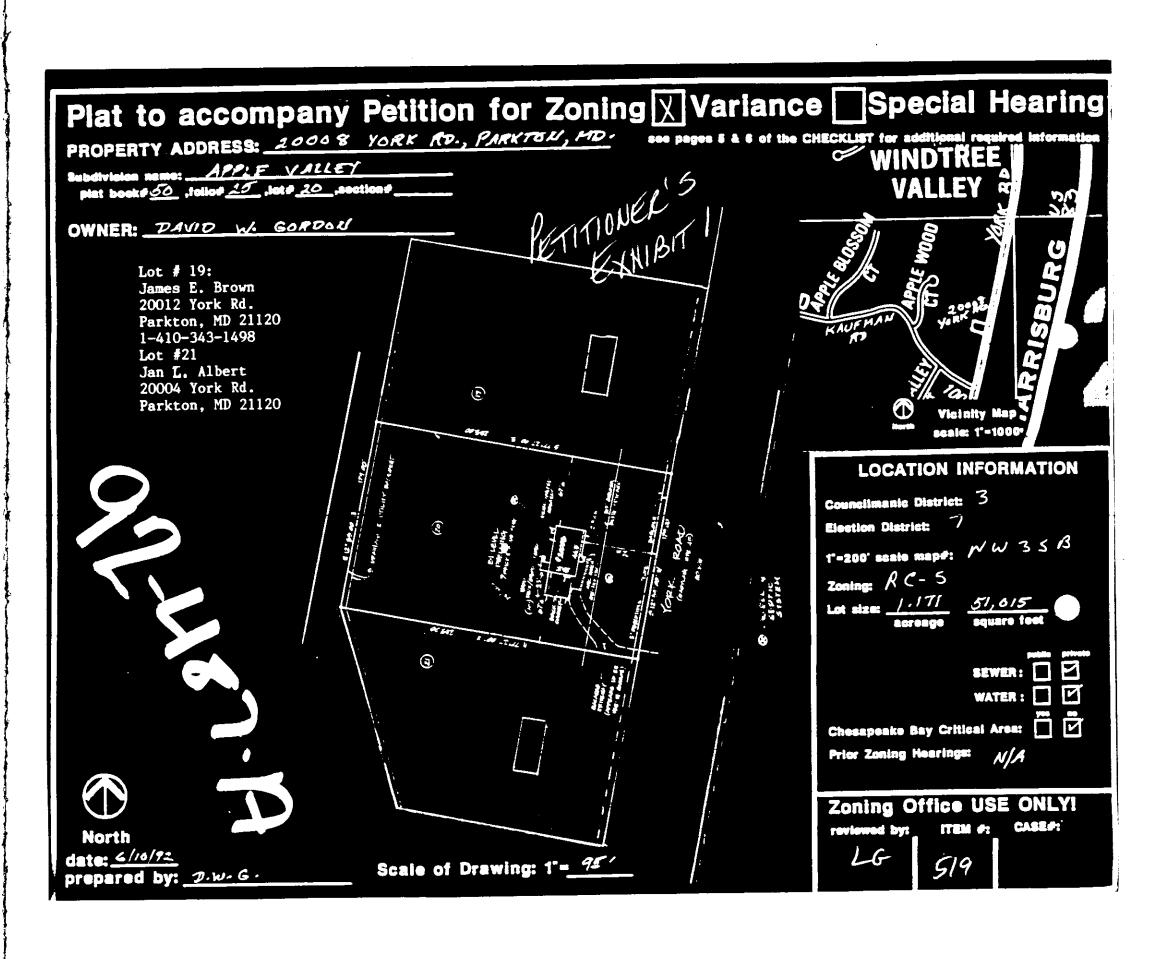
2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in two local newspapers. Charges related to the reposting and advertising are payable by the patitioner(s).

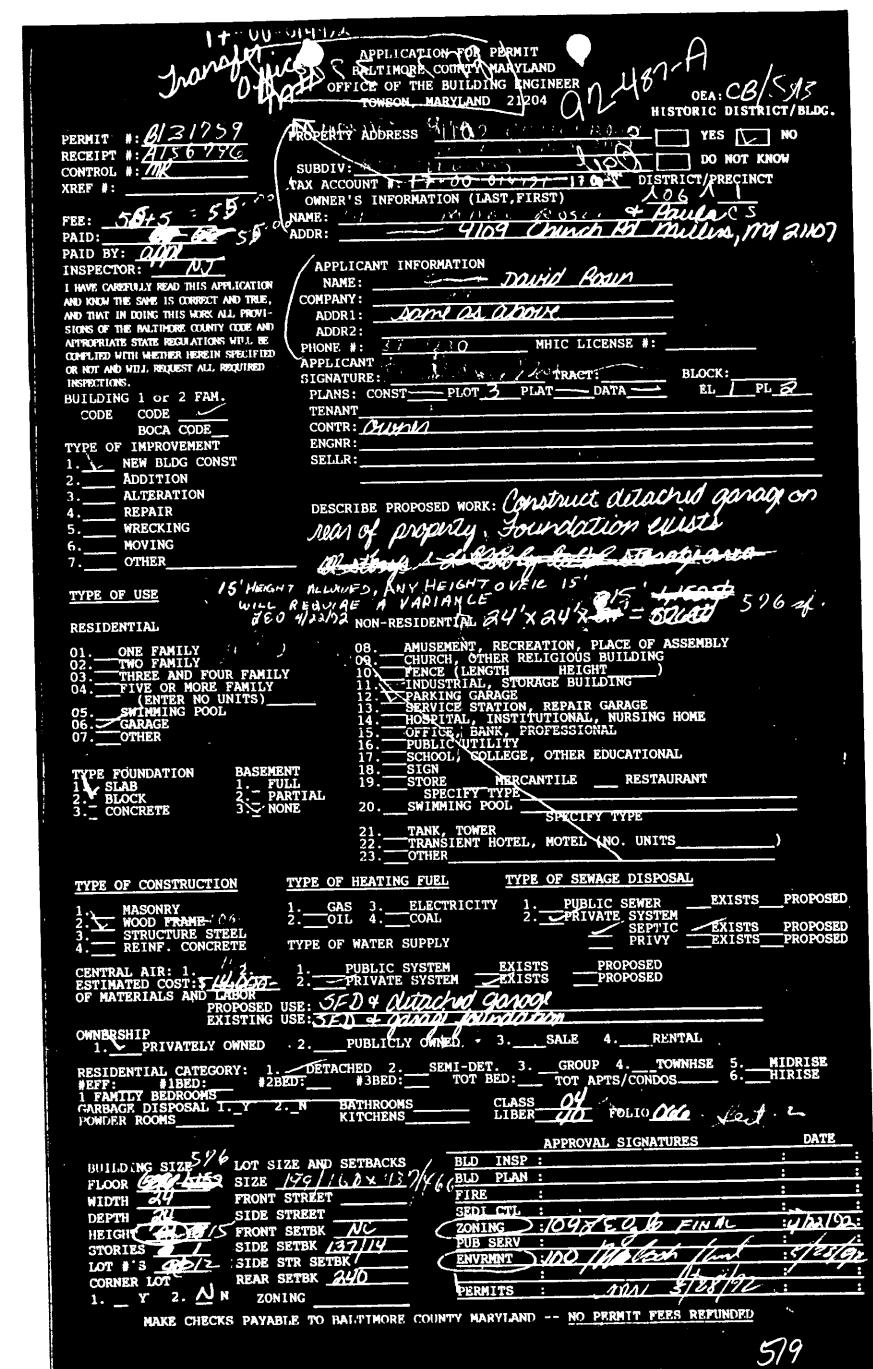
3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

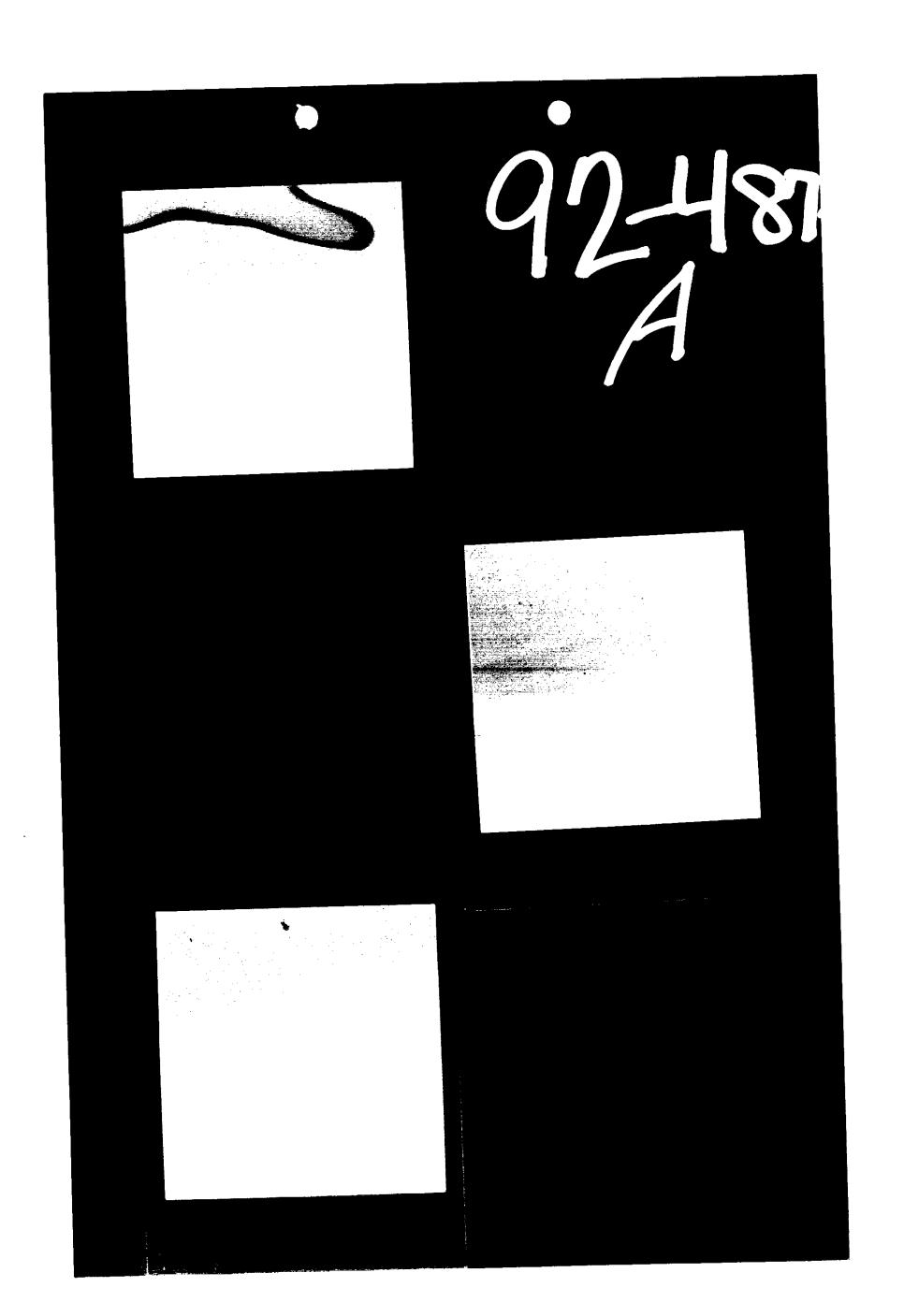
PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

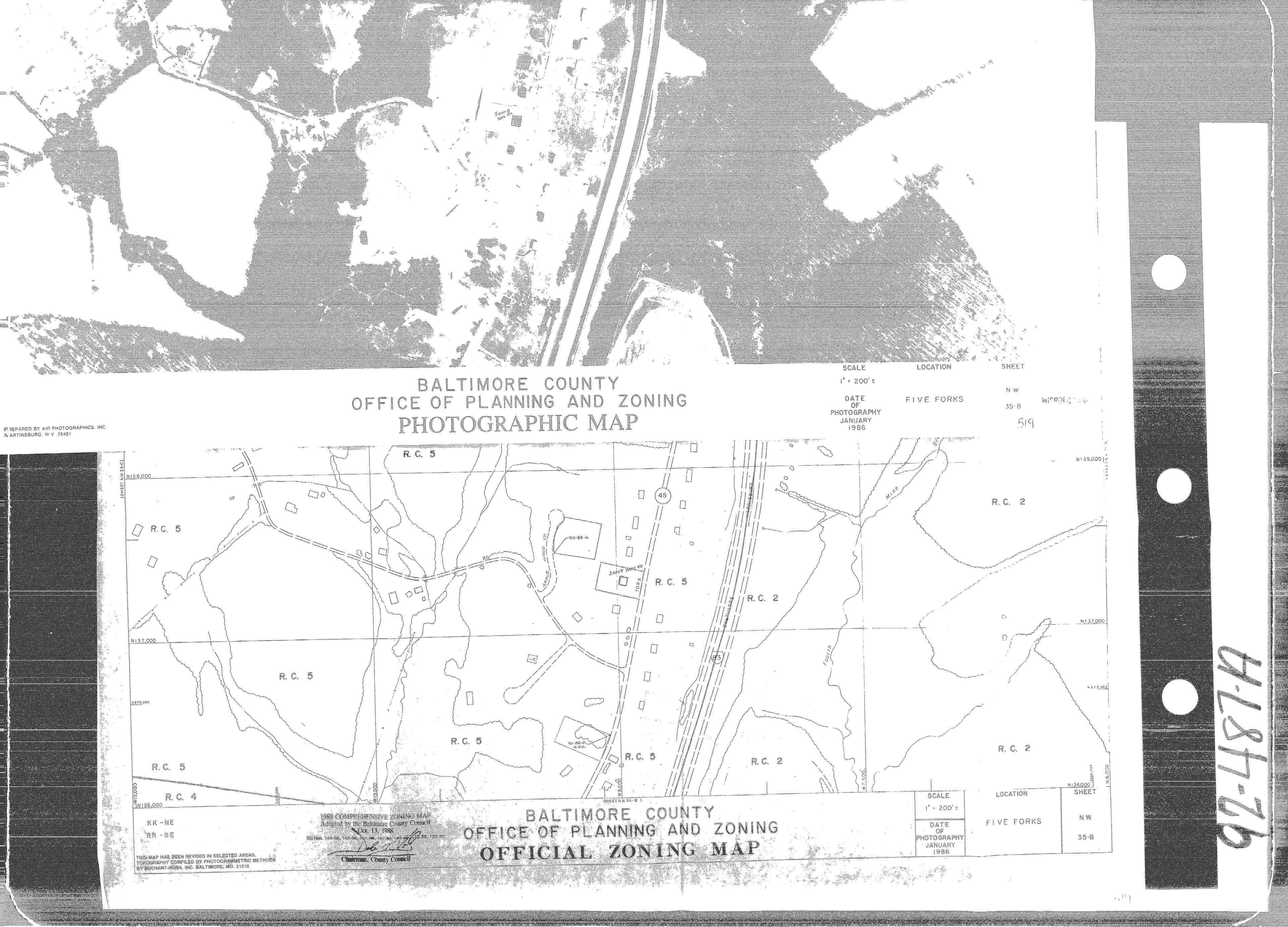
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* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

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This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance in which the Petitioners request relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 44 feet in lieu of the required 50 feet for a proposed garage in accordance with Petitioner's Exhib-

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

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Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17th day of July, 1992 that the Petition for Administrative Variance requesting relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 44 feet in lieu of the required 50 feet for a proposed garage, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

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> Deputy Zoning Commissioner for Baltimore County

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

July 17, 1992

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

Mr. & Mrs. David W. Gordon 20008 York Road Parkton, Maryland 21120

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David W Fordon et rus

Kaufman Rose, 20008 York Rose

92-487-A

Date of Posting 6-26-92

TMK:bjs

cc: People's Counsel

PETITION FOR ADMINISTRATIVE VARIANCE 92-48M-A TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

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Contract Purchaser:	Legal Owner(s):
(type or print name)	David W. Gordon (type or print mane) V. V PA
(djester)	(rigesture)
olikus	Debra L. Gordon (type or prior name)
Chy State Zie Code	- Xilleha & Ladr
Atterney for Petitioner:	20008 York Road 357-8995
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Baltimore County Government Office of Zoning Administration

111 West Chesapeake Avenue

Towson, MD 21204

and Development Management Office of Planning & Zoning

July 2, 1992

(410) 887-3353

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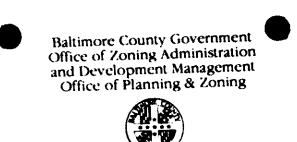
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ZONING DESCRIPTION FOR 20008 YORK ROAD, PARKTON, MD 21120

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111 West Chesapeake Avenue Towson, MD 21204 (410) 887-3353

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Petitioner: David W. Gordan, et ux Petitioner's Attorney:

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BALTIMORE COUNTY, MARYLAND

OFFICE OF PLANNING AND ZONING
New Courts Building
401 Bosley Avenue
Towson, MD 21204

MEMORANDUM

O: Arnold Jablon, Director - Zoning Administration & Development
Management

ROM: Ervin McDaniel, Chief Development Review Section Office of Planning and Zoning

DATE: June 24, 1992

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BBC Associates	711	N/C		
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Fox Chevrolet, Inc.	513	NIC		
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Covenant of Grace Presbyterian	Church 515	N/C		
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Raymond F. And Nancy A. Plum		W/c		
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Michael And Virginia Myers		N/C	,	
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Development Review Committee Perports Form
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		Baltimore County Government Fire Department	6/2/02 6461-92 W
	700 East Joppa Road S Towson, MD 21204-55	JUNE 19, 1992	(410) 887-4500
	Arnold Jablon Director Toning Administrat: Development Hanager Baltimore County Of Towson, MD 21204	MAT	
· .	BE: Property Owne	r: DAVID W. GORDON AND DEBRA	L. GORDON
	Location:	\$2008 YORK ROAD	
: :	Item No.: *51	9 (LJG) Zoning Agenda: J	TUME 22, 1992
	Gentlemen:		
	corrected or incom	equest, the referenced proper ne comments below are applicable porated into the final plans	for the property.
7	7. The Pire Preve	ention Bureau has no comments	at this time.
	PRVIEWER: Plansing Special	Group Inspection Division	
	J9/REK		
		·	DECLIVED
			JUN 22 1992
			ZONING OFFICE

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Department of Recreation and Parks Development Review Committee Respons Authorized signature	tratter	Date 7/1/92
Project Name File Number Waiver Number	Zoning Issue	Meeting Date
Joan R. McMahon	, FRS-1	6-22-92
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BBC Associates	511	
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Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

June 17, 1992

111 West Chesapeake Avenue Towson, MD 21204 (410) 887-3353

David and Debra Gordon 20008 York Road Parkton, Haryland 21120

Re: CASE MUMMER: 92-487-1 LOCATION: W/S York Road, 450' W of c/l Kanfman Road 20008 York Road 7th Election District - 3rd Councilmanic

Dear Petitioner(s)

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before June 28, 1992. The closing date is July 13, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order way (a) grant the requested relief, (b) dany the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, demied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in two local newspapers. Charges related to the reposting and advertising are payable by the patitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

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